

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

THE NANTUCKET WINE & FOOD  
FESTIVAL, LLC and NANCY BEAN,

Plaintiffs,

v.

GORDON COMPANIES, INC. d/b/a THE  
NANTUCKET FOOD AND WINE  
EXPERIENCE, DAVID GORDON, WHITE  
ELEPHANT HOTEL, LLC and TODD  
GOLDBERG

Defendants.

Civil Action No. 1:24-cv-11640-LTS

**DEFENDANTS' RESPONSE TO COURT ORDER CONCERNING DEFENDANTS'**  
**PROPOSED EXPEDITED DISCOVERY TOPICS**

In accordance with the Court's Electronic Order entered September 13, 2024, the  
Defendants submit the following list of proposed topics for their expedited discovery:

1. Communications between Plaintiffs and any third party concerning Defendants' statements about the acquisition of The Nantucket Wine & Food Festival, LLC, the relationship between the Gordon Companies and White Elephant, or quotes about the White Elephant's continuing role, including all statements made by Plaintiffs or Plaintiffs' counsel to the press and to business partners, vendors, and associates of the Nantucket Wine & Food Festival, LLC.
2. Communications concerning Plaintiffs' efforts to address the confusion allegedly caused by Defendants' statements at issue in this litigation.
3. Any agreements between Plaintiffs and any third party concerning the 2025 Nantucket Wine & Food Festival.
4. Documents and Communications concerning any petitions or surveys, including without limitation, the "petition to understand the public support for their event" identified in Paragraph 18 of Attorney Pollack's Declaration (Document 39) and the 'pilot survey' identified in Paragraph 20 of Attorney Pollack's Declaration (Document 39).
5. Documents and Communications concerning Plaintiffs' applications to register any purported trademarks, registrations of any purported trademarks, and enforcement of any purported trademarks against third parties.

6. Documents and Communications concerning the actions taken by Plaintiffs in connection with the 2025 Nantucket Wine & Food Festival.

Respectfully Submitted,

GORDON COMPANIES, INC. d/b/a THE  
NANTUCKET FOOD AND WINE  
EXPERIENCE and DAVID GORDON,

By their Attorneys,

Dated: September 18, 2024

/s/ Alissa L. Poynor

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WHITE ELEPHANT HOTEL LLC

By its attorneys,

/s/ Derek B. Domian

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CERTIFICATE OF SERVICE

I, Alissa L. Poynor, Esquire, hereby certify that on this 18th day of September, 2024, I caused a true and accurate copy of the foregoing document to be served by email upon the following: Barry S. Pollack, Esquire, [bpollack@psdfirm.com](mailto:bpollack@psdfirm.com), Mary L. Nguyen, Esquire, [mnguyen@psdfirm.com](mailto:mnguyen@psdfirm.com), Pollack Solomon Duffy LLP, 31 St. James Ave., Suite 940, Boston, MA 02116; and Scott Douglas Burke, Esquire, [sburke@morrisonmahoney.com](mailto:sburke@morrisonmahoney.com), Morrison Mahoney LLP, 250 Summer Street, Boston, MA 02110-1181.

/s/ Alissa L Poynor

Alissa L. Poynor

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